

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IMPERIUM IP HOLDINGS
(CAYMAN), LTD.,

Plaintiff,

V.

SAMSUNG ELECTRONICS CO.,
LTD., et al.,

Defendants.

Case No. 4:14-cv-00371-ALM

JOINT MOTION TO AMEND THE SCHEDULING ORDER

Plaintiff Imperium IP Holdings (Cayman), Ltd., Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Semiconductor, Inc. jointly move the Court to amend the Scheduling Order (Docket No. 70) with respect to the below deadlines. The amended deadlines will allow the parties additional time to conduct discovery before the submission of the expert reports. The amendment is requested in good faith and will not result in undue delay or impact the Pretrial Conference or Jury Selection dates in this matter.

Below is a chart summarizing the current deadlines and the parties' proposed amendments.

Current Deadline	Proposed Amended Deadline	Event
August 12, 2015	Unchanged	Comply with P.R. 3-7 (Opinion of Counsel Defense)
September 9, 2015	Unchanged	Discovery Deadline. All discovery must be served in time to be completed by this date.
August 19, 2015	September 9, 2015	Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(2)(B).
August 26, 2015	September 28, 2015	Parties to designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(2)(B).
September 9, 2015	September 30, 2015	Objections to any opening expert report, including Daubert motions, shall be filed. Such objections and motions are limited to ten pages each.
N/A	October 6, 2015	Expert Discovery Deadline.
September 9, 2015	October 6, 2015	File Dispositive motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rule CV-7. Responses to motions shall be due in accordance with Local Rule CV-7(e).
September 16, 2015	October 16, 2015	Objections to any rebuttal expert report, including Daubert motions, shall be filed. Such objections and motions are limited to ten pages each.
December 28, 2015	Unchanged	Notice of intent to offer certified records.

December 28, 2015	Unchanged	Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order (see Local Rule CV-16(b)) and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).
December 30, 2015	Unchanged	Video Deposition Designation due. Each party who proposes to offer a deposition by video shall serve on all other parties a disclosure identifying the line and page numbers to be offered.
December 30, 2015	Unchanged	Motions in limine due.
December 30, 2015	Unchanged	File Joint Final Pretrial Order. See Local Rules Appendix D (obtain form for Exhibit List from District Clerk's Office, or create an Exhibit List form that mirrors the District Clerk's form). Exchange Exhibits and deliver copies to the court. At this date, all that is required to be submitted to the court is a hyperlinked exhibit list on disk (2 copies) and no hard copies.
January 6, 2016	Unchanged	Deadline to serve a response with any objections to the video deposition designation. Requesting cross examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the court's rulings on objections.
January 15, 2016	Unchanged	Response to motions in limine due.
January 15, 2016	Unchanged	File objections to witnesses, deposition extracts, and exhibits listed in Pretrial Order. (This does not extend the deadline to object to expert witnesses). If numerous

		objections are filed, the court may set a hearing prior to docket call.
January 15, 2016	Unchanged	File proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law.)
January 29, 2016	Unchanged	Docket Call and Final Pretrial at 9:00am in Sherman. Date parties should be prepared to the try the case. Provide court with two copies of most updated Exhibit List. Absent agreement of the parties, this should not have exhibits which were not listed in the Final Pretrial Order, but may have some deletions depending on rulings on objections. At this date, the parties should be prepared to give the Deputy Clerk one hard copy of the exhibits.
February 1, 2016	Unchanged	9:00 a.m. Jury Selection and Trial in Sherman, Texas.

Therefore, the parties respectfully request that the Court enter the attached Amended Scheduling Order.

Dated: August 10, 2015

Respectfully submitted,

/s/ R. William Sigler

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CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2015, the foregoing document was filed electronically in compliance with Local Rule CV-5(a) and thereby served upon counsel of record.

By: /s/ R. William Sigler
R. William Sigler

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that the parties met and conferred as required by Local Rule CV-7(h) and that the motion is jointly submitted.

/s/ R. William Sigler
R. William Sigler